

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

DATATREASURY CORPORATION, Plaintiff,	§ § § § § § §	Cause No. 06MC75 E.D. Tex. Cause No. 2:03CV00459
v. MAGTEK, INC., Defendant.		

**PLAINTIFF DATATREASURY CORPORATION'S SUPPLEMENT TO
RESPONSE IN OPPOSITION TO NON-PARTY CREATIVE PAYMENT
SOLUTIONS INC.'S MOTION TO QUASH PLAINTIFF'S SUBPOENA**

Plaintiff DataTreasury Corporation ("DataTreasury") respectfully submits this, its Supplement to Response in Opposition to Non-Party Creative Payment Solutions Inc.'s ("CPS") Motion to Quash Plaintiff's Subpoena ("Motion"). CPS's Motion should be denied in light of a recent ruling by the court in the Eastern District of Texas denying MagTek's Motion for Protective Order.

In its reply, CPS stated that the only remaining issue to be resolved by this Court was "whether the deposition of CPS should proceed while Magtek's Motion for Protective Order . . . is pending before the United States District Court for the Eastern District of Texas." CPS Reply at 1. Attached hereto as Exhibit A is the Order of the United States District Court for the Eastern District of Texas denying MagTek's Motion for Protective Order. Since this issue has been addressed by the District Court for the Eastern District of Texas, there are no remaining issues to be resolved by this Court.

As such, should CPS not voluntarily withdraw its Motion to Quash, DataTreasury respectfully requests that this Court deny CPS's Motion in light of this recent ruling.

Plaintiff DataTreasury Corporation's Supplement to Response in Opposition to Non-Party Creative Payment Solutions Inc.'s Motion to Quash Plaintiff's Subpoena

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on the 11th day of September, 2006 via electronic transmission.

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